



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**  
SEP 3 2002  
TECH CENTER 1600/2900

In re Application of )  
JONATHAN S. STAMLER )  
Patent Application No. 09/757,610 )  
Filed: January 11, 2001 )  
For: INHIBITING GS-FDH TO MODULATE )  
NO BIOACTIVITY )  
REPLETION OF GSNO )

Group Art Unit: 1653

Examiner: Roy R. Teller

RESPONSE TO ONE-MONTH ACTION

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the one-month action of August 26, 2002.

Please enter the following election.

ELECTION

The undersigned provisionally elects Group II, with traverse.

Remarks

Restriction is required to one of Group I (Claims 1-7 and 15-20) and Group II (Claims 8-14).

It is noted that Claims 8-14 are not restricted to cancerous diseases but rather to pathologically proliferating cells which can be pathologically proliferating microbes or pathologically proliferating mammalian cells including cancer cells or cells causing restenosis. See the application as filed at page 3, lines 10-14 and page 19, lines 10, et seq. See also Examples XV, XVI, XVII, XVIII.

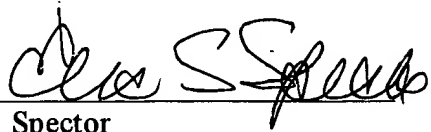
The undersigned confirms the provisional election on 8/15/02 by telephone of Group II (Claims 8-14), with traverse. Traverse is on the basis that all claims should have the same area of search. Thus the groups do not have independent classification and the "independent" requirement of 35 U.S.C. 121 is not met.

Withdrawal of the restriction requirement and examination of all the claims is requested.

Respectfully submitted,

JONES, TULLAR & COOPER, P.C.

By: \_\_\_\_\_

  
Eric S. Spector  
Reg. No. 22,495

JONES, TULLAR & COOPER, P.C.  
P.O. Box 2266 Eads Station  
Arlington, Virginia 22202  
703-415-1500

Case Duke File 1838

Date: August 30, 2002